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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,286	09/08/2003	Kurt Pelsue	I01115-0059C1	1383
24267 7590 08/07/2008 CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210				
EXAMINER NGUYEN, LUONG TRUNG				
ART UNIT 2622		PAPER NUMBER		
MAIL DATE 08/07/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/657,286

**Applicant(s)**

PELSUE ET AL.

**Examiner**

LUONG T. NGUYEN

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 9, 11-14 are objected to because of the following informalities:

Claim 9 (line 3), “wherein illuminating the first and second combinations of illumination positions” should be changed to --wherein illuminating the workpiece from the first and second combinations of illumination positions--.

Claim 11 (line 12), “at a second location between an illumination position and an image location” should be changed to --at a second location between a second illumination position and a second image location--.

Claim 11 (line 14), “from the illumination position” should be changed to --from the second illumination--.

Claim 11 (line 15), “from the image location” should be changed to --from the second image location--.

Claim 12 (lines 1-2), “the attenuating steps are” should be changed to --the attenuating at the first and second locations are--.

Claim 14 (line 1), “wherein attenuating comprises” should be changed to --wherein the attenuating at the first and second locations comprises--.

Claim 14 (line 2-3), “between an illumination position and an image location” should be changed to --between corresponding illumination position and corresponding image location--.

Claims 12-14 are objected as being dependent on claim 11.

Appropriate correction is required.

***Allowable Subject Matter***

2. Claims 1-14 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art of the record fails to show or fairly suggest a method of imaging portions of a workpiece located within a field of view of an imaging system, the workpiece having features which are to be detected with the imaging system, the method comprising:

illuminating a first portion of the workpiece from a first combination of illumination positions and reduced illumination positions so as to limit a first distribution of energy reflected specularly from a workpiece location corresponding to the first portion;

illuminating a second portion of the workpiece from a second combination of illumination positions and reduced illumination positions so as to limit a second distribution of energy reflected specularly from a workpiece location corresponding to the second portion, the second combination being non-identical to the first combination as a result of a position of the workpiece portion within the field of view of the imaging system.

Claims 2-10 are allowed for the reasons given in claim 1.

Regarding claim 11, the prior art of the record fails to show or fairly suggest a method of imaging portions of a workpiece comprising:

attenuating, at a first location between an illumination position and an image location corresponding to a first portion of the workpiece, at least a portion of the energy from the

illumination position so as to limit the distribution of energy reflected from the image location corresponding to a the first workpiece portion;

attenuating, at a second location between an illumination position and an image location corresponding to a second portion of the workpiece, at least a portion of the energy from the illumination position so as to limit the distribution of energy reflected from the image location corresponding to a the second workpiece portion.

Claims 12-14 are allowed for the reasons given in claim 11.

### ***Conclusion***

3. This application is in condition for allowance except for the objections of claims 9, 11-14 as indicated above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571)272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LTN  
08/03/08

/LUONG T NGUYEN/  
Examiner, Art Unit 2622